

EXHIBIT A

Approved, SCAO

Original - Court
1st Copy- Defendant2nd Copy - Plaintiff
3rd Copy -ReturnSTATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT
WAYNE COUNTY

SUMMONS

CASE NO.
21-004606-NO
Hon.David J. Allen

Court address : 2 Woodward Ave., Detroit MI 48226

Court telephone no.: 313-224-0250

Plaintiff's name(s), address(es), and telephone no(s)
Irvin, Reginald

v

Defendant's name(s), address(es), and telephone no(s).
Dolgencorp, LLC a/k/a Dollar General

Plaintiff's attorney, bar no., address, and telephone no

Ellen G. Schreuder 29146
28225 Mound Rd
Warren, MI 48092-5504**Instructions:** Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (form MC 21). The summons section will be completed by the court clerk.**Domestic Relations Case**

- ☐ There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- ☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (form MC 21) listing those cases.
- ☐ It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

Civil Case

- ☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035
- ☐ MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- ☐ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- ☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in ☐ this court, ☐ _____ Court,

where it was given case number _____ and assigned to Judge _____.

The action ☐ remains ☐ is no longer pending.

Summons section completed by court clerk.

SUMMONS

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party **or take other lawful action with the court** (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date
4/9/2021Expiration date*
7/9/2021Court clerk
Carlita McMiller

Cathy M. Garrett- Wayne County Clerk.

*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

MC 01 (9/19)

SUMMONS

MCR 1.109(D), MCR 2.102(B), MCR 2.103, MCR 2.104, MCR 2.105



SUMMONS
Case No. : 21-004606-NO

PROOF OF SERVICE

TO PROCESS SERVER: You are to serve the summons and complaint not later than 91 days from the date of filing or the date of expiration on the order for second summons. You must make and file your return with the court clerk. If you are unable to complete service you must return this original and all copies to the court clerk.

CERTIFICATE / AFFIDAVIT OF SERVICE / NONSERVICE

☐ **OFFICER CERTIFICATE**

OR

☐ **AFFIDAVIT OF PROCESS SERVER**

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party (MCR 2.104[A][2]), and that: (notarization not required)

Being first duly sworn, I state that I am a legally competent adult, and I am not a party or an officer of a corporate party (MCR 2.103[A]), and that: (notarization required)

☐ I served personally a copy of the summons and complaint.

☐ I served by registered or certified mail (copy of return receipt attached) a copy of the summons and complaint, together with _____

List all documents served with the Summons and Complaint

_____ on the defendant(s):

Defendant's name	Complete address(es) of service	Day, date, time

☐ I have personally attempted to serve the summons and complaint, together with any attachments, on the following defendant(s) and have been unable to complete service.

Defendant's name	Complete address(es) of service	Day, date, time

I declare under the penalties of perjury that this proof of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee \$	Miles traveled \$	Fee \$	
Incorrect address fee \$	Miles traveled \$	Fee \$	Total fee \$

Signature _____

Name (type or print) _____

Title _____

Subscribed and sworn to before me on _____ Date _____ County, Michigan.

My commission expires: _____ Date _____ Signature: _____ Deputy court clerk/Notary public

Notary public, State of Michigan, County of _____

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of the summons and complaint, together with _____ Attachments

_____ on _____ Day, date, time

Signature _____ on behalf of _____

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

REGINALD IRVIN,

Plaintiff,

-vs-

Case No. 21-
HON.

-NO

DOLGENCORP, LLC, a/k/a DOLLAR GENERAL,

Defendant.

MANCINI SCHREUDER KLINE P.C.
ELLEN G. SCHREUDER (P 29146)
Attorneys for Plaintiff
28225 Mound Road
Warren, Michigan 48092-3498
(586) 751-3900/(586) 751-7203 fax
lsloan@mancini-law.com

There is no other pending or resolved civil action arising
out of the transaction or occurrence alleged in the complaint.

COMPLAINT AND DEMAND FOR JURY TRIAL

NOW COMES the Plaintiff, REGINALD IRVIN, by and through his attorneys, Mancini Schreuder Kline P.C., and for his Complaint against the Defendant, DOLGENCORP, LLC a/k/a DOLLAR GENERAL, states as follows:

1. Plaintiff is a resident of the City of Detroit, County of Wayne, State of Michigan.
2. Defendant, DOLGENCORP, LLC a/k/a DOLLAR GENERAL, is a foreign limited liability company and at all relevant times did business in counties in Michigan including Wayne and Traverse Counties.
3. The amount in controversy herein exceeds the sum of Twenty-Five Thousand (\$25,000.00) Dollars exclusive of costs, interest and attorney fees.
4. On or about July 17, 2020, Defendant loaded the trailer of Plaintiff's employer USXpress in Marion, Indiana. Defendant sealed the trailer for Plaintiff to drive and deliver Defendant's products to Defendant's stores.

5. Upon driving away, Plaintiff stopped at Defendant's guard shack where Defendant's agent cut the seal, compared the trailer contents with the paperwork Defendant gave to Plaintiff, and Defendant's agent resealed the trailer.

6. Plaintiff drove to various of Defendant's locations, at each of which, Defendant's manager cut the seal and supervised the unloading of Defendant's product which was on Defendant's moveable equipment for Plaintiff to take into Defendant's store.

7. Defendant supplied carts for carrying Defendant's cases of water that were over six feet tall for water products which weighed hundreds of pounds.

8. Because Defendant's carts were too tall, overloaded, had loose, wobbly wheels, were improperly strapped, and were not sturdy enough for their known use, Defendant's cart and load of water tipped and fell, injuring Plaintiff at Defendant's facility at 6940 Cougar Trail, Kingsley, Michigan.

9. Defendant had the following duties to Plaintiff:

- a. to use ordinary and due care and caution for the safety of others;
- b. to avoid acts and omissions which might cause or compound injury to Plaintiff;
- c. to refrain from irresponsible and negligent conduct;
- d. to refrain from enhancing the risk of harm to others;
- e. to meet other duties as specified by law, ordinance, standard, and custom.

10. Notwithstanding said duties, Defendant breached those duties by the following actions:

- a. mandating the use of transport carts for its bottled water which were too tall, overloaded, and insufficient for their known use;
- b. failing to warn Plaintiff of the dangers in Defendant's methods of delivery;
- c. providing inadequate and dangerous equipment for Plaintiff's delivery of Defendant's products;
- d. otherwise failing to act in a reasonable and prudent manner; and/or
- e. otherwise breaching duties owed.

11. As a direct and proximate result of Defendant's negligence, Plaintiff, REGINALD IRVIN, had Defendant's cart and products tip and fall on to him, thereby suffering serious bodily injuries, including but not limited to:

- a. injuries to his right wrist, back, right knee, and related and resultant injuries;
- b. physical pain and suffering;
- c. disability and disfigurement;
- d. mental anguish;
- e. fright and shock;
- f. denial of social pleasures and enjoyment of the usual activities of life;
- g. embarrassment, humiliation and mortification;
- h. medical expenses, past and future;
- i. loss of earnings and earning capacity; and
- j. other damages allowed by law.

WHEREFORE, Plaintiff requests an award of damages in whatever amount in excess of Twenty-Five Thousand (\$25,000.00) Dollars to which he may be found entitled, together with interest, costs and attorney fees.

PLAINTIFF HEREBY DEMANDS A TRIAL BY JURY.

MANCINI SCHREUDER KLINE P.C.

by: /s/ Ellen G. Schreuder
ELLEN G. SCHREUDER (P 29146)
Attorneys for Plaintiff
28225 Mound Road
Warren, Michigan 48092
(586) 751-3900

dated: April 9, 2021

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

REGINALD IRVIN,

Plaintiff,

-vs-

Case No. 21-
HON.

-NO

DOLGENCORP, LLC, a/k/a DOLLAR GENERAL,

Defendant.

MANCINI SCHREUDER KLINE P.C.
ELLEN G. SCHREUDER (P 29146)
Attorneys for Plaintiff
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(586) 751-3900/(586) 751-7203 fax
lsloan@mancini-law.com

DEMAND FOR TRIAL BY JURY

NOW COMES the Plaintiff, REGINALD IRVIN, by and through his attorneys,
Mancini Schreuder Kline P.C., and hereby files a Demand for Trial by Jury in the above titled
cause of action.

MANCINI SCHREUDER KLINE P.C.

by: /s/ Ellen G. Schreuder
ELLEN G. SCHREUDER (P 29146)
Attorneys for Plaintiff
28225 Mound Road
Warren, Michigan 48092
(586) 751-3900

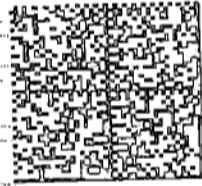
dated: April 9, 2021

LAW OFFICES
MANGINI SCHREUDER KLINE P.C.
28225 MOUND RD., WARREN, MI 48092-3498

CEMFIFIED MAIL



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